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PRETRIAL SERVICES REPORT

District/Office Eastern District of Washington/Yakima	Charge(s) (Title, Section, and Description) Count 1: 8 U.S.C. § 1326 - Alien in the United States After Deportation
Judicial Officer The Honorable Mary K. Dimke U.S. Magistrate Judge	
Docket Number (Year – Sequence No. – Def. No.) 1:18CR02056-SMJ-1	

DEFENDANT

Name Fernando Magana-Mendoza	Employer/School Unknown		
Other Names on Charging Document Unknown			
Address Unknown	Employer/School Address Unknown		
Time at Address Unknown	Time in Community Unknown	Monthly Income Unknown	Time with Employer/School Unknown

INTRODUCTION:

On November 7, 2018, the defendant will make an initial appearance before the Honorable Mary K. Dimke, U.S. Magistrate Judge in Yakima, and Richland, Washington. The defendant was not interviewed for the purposes of the pretrial services report at the request of his attorney.

The government advises this matter is Fast Track eligible. However, as of the submission of this report, it is unknown if Mr. Magana-Mendoza will enter the district's Fast Track program.

Unless stated otherwise, information contained in this report was taken from law enforcement authorities.

PRIOR RECORD:

Criminal history information for this report was gathered through a search of the Washington State Judicial Information System (JIS), Access to Law Enforcement Systems (ATLAS), Law Enforcement Records Management System (LERMS) and Yakima County Sheriff's Office Database (Spillman).

According to available records, the defendant, age 46, was born on August 2, 1972, in Michoacán, Mexico, and is a citizen of Mexico.

The defendant has used the following aliases and/or variations of these names: Filiberto Magana-Mendoza; Fernando Maganamendoza; Filiberto Magana Mendoza; Filiberto Magana Mendoza; and Fernando Magana-Mendoza.

Mr. Magana-Mendoza has also used the following dates of birth: January 1, 1920; October 25, 1976; and March 31, 1972.

<u>Date of Arrest</u>	<u>Charge/Agency</u>	<u>Date Sentence Imposed/Disposition</u>
09/18/1999 (age 27)	Removal Proceedings U.S. Immigration and Customs Enforcement, San Luis, AZ #unknown	Unknown date: removed to Mexico

The defendant's rapsheet states prosecution was declined for an additional charge of documented false claim.

05/24/2008 (age 35)	Open Container Beer/Wine Unknown Court, Chester, SC #R84	Unknown date: convicted
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Name used: Mendoza, Filiberto Magana

08/14/2008 (age 36)	Trafficking Marijuana Unknown Court, York, SC #200800028128	Unknown
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Name used: Magana-Mendoza, Filiberto

According to the defendant's rapsheet, there is an active warrant in this matter from York County Sheriff's Office in York, South Carolina. The warrant is extraditable in the State of South Carolina, North Carolina, and Georgia. However, the reason for issuance is unknown as of the submission of this report.

12/07/2008 (age 36)	Driving Without a License Issaquah Municipal Court, Issaquah, WA #CQ13731NB	Unknown
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PS3 (12/05-Rev. for PACTS 6/11)

Fernando Magana-Mendoza/1:18CR02056-SMJ-1

12/09/2008 (age 36)	Entry Without Inspection, Time, or Place U.S. Immigration and Customs Enforcement, Seattle, WA #unknown	Unknown
04/12/2012 (age 39)	Ct. 1: Alien Removal Ct. 2: Reentry of Removed Aliens U.S. Immigration and Customs Enforcement, Unknown City, TX #unknown	Unknown
04/13/2012 (age 39)	Federal Material Witness U.S. District Court, TXSD, Corpus Christi, TX #2:12MJ00362-BJE-Witness 2	Unknown

Name used: Magana-Mendoza, Fernando

The defendant in this matter is listed as Roy Reyes who was charged with bringing in and harboring aliens.

07/02/2012 (age 39)	Illegal Entry U.S. District Court, TXSD, McAllen, TX #7:12PO04130-PEO-1	07/05/2012: credit for time served; \$10 special assessment
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The court docket reflects the defendant is also known as Filiberto Magana-Mendoza.

The defendant's rapsheet indicates he was originally charged with entry without inspection, time, or place and alien removal.

According to the criminal complaint, on July 2, 2012, the defendant was located in Starr County within the Southern District of Texas. Mr. Magana-Mendoza admitted to being a citizen and national of Mexico, who knowingly and unlawfully entered the U.S. without permission. The defendant told agents, he had entered the U.S. on July 2, 2012, by rafting across the Rio Grande River near the Rio Grande City in Texas.

10/12/2014 (age 42)	Alien Removal U.S. Immigration and Customs Enforcement, Unknown City, TX #unknown	10/13/2014: removed to Mexico through Hidalgo, Texas
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08/25/2018 (age 46)	Ct. 1: Possession With Intent to Deliver Marijuana Ct. 2: Manufacture Marijuana Yakima County Superior Court, Yakima, WA #18-1-01634-2	11/05/2018: Cts. 1-2: dismissed without prejudice
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In addition to the above-listed criminal history, the defendant received 3 infractions on March 14, 2018, for no insurance, no valid operator's license with valid identification, and prohibited U-turn.

The Washington State Department of Licensing website indicates the defendant has a Washington State identification card, which expired on March 31, 2024.

ARREST BEHAVIOR

Unknown

ASSESSMENT OF NONAPPEARANCE:

The defendant poses a risk of nonappearance for the following reasons:

1. Illegal alien
2. Foreign citizenship
3. Ties to a foreign country
4. Prior removals/deportations
5. Active warrant
6. Unknown family, community, residence, education, employment, finances, property or health

ASSESSMENT OF DANGER:

The defendant poses a risk of danger for the following reasons:

1. Criminal history

RECOMMENDATION:

Based on the above information, it appears no condition or combination of conditions can be imposed by the Court that would reasonably assure the defendant's appearance in Court and the safety of the community. Therefore, continued detention of the defendant is recommended pending adjudication of the matter.

Pretrial Services Officer	Date	Time
s/Erica Helms	11/07/2018	8:55 a.m.
Erica Helms, U.S. Probation Officer		
Reviewed By		
s/Rebecca M. Nichols		
Rebecca M. Nichols, Deputy Chief U.S. Probation Officer		